

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

CYPRESS SCHOOL DISTRICT AND
ANAHEIM UNION HIGH SCHOOL
DISTRICT.

OAH CASE NO. 2013071002

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On July 23, 2013, Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings (OAH), naming Cypress School District (Cypress) and Anaheim Union High School District (Anaheim). On August 16, 2013, Student filed a Motion to Amend the complaint, along with an amended complaint, to clarify dates in the pleading. Cypress and Anaheim do not oppose the request.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: August 21, 2013

/s/

PETER PAUL CASTILLO

Administrative Law Judge

Office of Administrative Hearings